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U.S. Department of Homeland Security  
20 Mass. Rm. A3042, 425 I Street, N.W.  
Washington, DC 20529



U.S. Citizenship  
and Immigration  
Services

Q3

FILE:

Office: LOS ANGELES

Date:

JUN 9 2004

IN RE:

Obligor:

Bonded Alie

IMMIGRATION BOND:

Bond Conditioned for Voluntary Departure under § 240B of the Immigration  
and Nationality Act, 8 U.S.C. § 1229c

ON BEHALF OF OBLIGOR: Self-represented

INSTRUCTIONS:

This is the decision of the Administrative Appeals Office in your case. All documents have been returned to the office that originally decided your case. Any further inquiry must be made to that office.

Robert P. Wiemann, Director  
Administrative Appeals Office

**DISCUSSION:** The voluntary departure bond in this matter was declared breached by the Field Office Director, Detention and Removal, Los Angeles, California, and is now before the Administrative Appeals Office on appeal. The appeal will be rejected.

The record indicates that on [REDACTED] obligor posted a \$500.00 bond conditioned for the voluntary departure of the above referenced alien. An order of the immigration judge (IJ) dated [REDACTED] as issued granting the alien voluntary departure in lieu of removal on or [REDACTED]. The bonded alien appealed the IJ's decision to the Board of Immigration Appeals (BIA). On [REDACTED] the BIA dismissed the appeal. [REDACTED] the alien petitioned the Ninth Circuit Court of Appeals for review of the BIA's decision. On [REDACTED] the Ninth Circuit Court of Appeals denied the alien's petition for review. [REDACTED] 2004, the field office director concluded the bond had been breached.

The appeal has been filed by the bonded alien. The alien, however, is without standing in this proceeding.

An immigration bond is a contract between ICE and the obligor. The obligor or her attorney-in-fact is the proper party to appeal the ICE decision to breach the bond. *See Matter of Insurance Company of North America*, 17 [REDACTED]

The regulations provide that an appeal filed by a person or entity not entitled to file it must be rejected as improperly filed. In such a case, any filing fee ICE has accepted will not be refunded. 8 C.F.R. § 103.3(a)(2)(v).

**ORDER:** The appeal is rejected.